

From: owen@dixon.DeLong.SJ.CA.US@inetgw
To: Microsoft ATR
Date: 1/24/02 6:07pm
Subject: Microsoft Settlement

To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Under the Tunney act, I wish to register the following
comments:regarding the
proposed Microsoft settlement.

I agree with the problems identified in Dan Kegel's analysis,
incorporated
here by reference (on the Web at
<http://www.kegel.com/remedy/remedy2.html>).

Further, I feel that Microsoft should NOT be allowed to release any
additional
versions or updates (other than emergency patches for security holes) to
any
of their software products until they comply with at least the
following:

Microsoft shall be required to provide a Reference Implementation in

source form, royalty free, and freely available to all users, for
all document
formats created by any Microsoft Application Program.

Microsoft shall be required to provide complete documentation of all

library calls, system calls, and any other entry point in each and
every
library (LIB, DLL, VXD, OBJ, or other format) shipped with any
Microsoft
product. Such documentation must include a description of the
functionality
provided by each entry point, the calling sequence, returned
parameters,
error conditions, how various errors are handled, and any other
relevant
information about each library or system call.

The above two paragraphs come much closer to the definition of an API,

and
would provide the community a substantially more useful guarantee that
code can be written to:

1. Compete with any Microsoft API on a level playing field.
2. Utilize any Microsoft implementation of their API.

An example of such documentation would include the "Man Page" collection
on any UNIX or UNIX-Like system.

In this instance, it will be necessary for the proposed Technical
Committee (TC)
to audit this documentation and verify that it is, indeed, complete by
comparison
to the source code from which the libraries are built.

The current settlement defines all of the restrictions so narrowly that
Microsoft
will easily be able to circumnavigate them and claim that what they have
done
does not violate the terms of the settlement. In fact, parts of the
proposal
will actually assist Microsoft in defending their anti-competitive
practices.

Thank you,

Owen DeLong

3251 Firth Way
San Jose, California
95121

owen@delong.com
408-539-9559